

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA

OFFICE OF THE CLERK

POST OFFICE BOX 711

MONTGOMERY, ALABAMA 36101-0711

DEBRA P. HACKETT, CLERK

TELEPHONE (334) 954-3600

NOTICE OF CORRECTION

From: Clerk's Office

Case Style: United States of America v. Bailey

Case Number: 2:08-mc-03399-WKW

Referenced Pleading: MOTION for Order Requiring Judgment Debtor Exam - Doc. 1

This Notice of Correction was filed in the referenced case this date to correct the PDF documents attached to this notice. Please see the correct PDF documents to this notice.

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

2008 MAR -6 P 4:50

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
HERBERT LEE BAILEY,)
)
Defendant,)

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

MISC NO. 2:08 mc 3399-W

MOTION FOR ORDER REQUIRING EXAMINATION
OF JUDGMENT DEBTOR

Plaintiff, United States of America, moves the Court to issue an Order requiring the Defendant, HERBERT LEE BAILEY, to appear and testify at a Judgment Debtor Examination in aid of execution under Rule 69 F.R.C.P., and in support of this Motion relies upon the Affidavit annexed hereto as Exhibit A.

LEURA G. CANARY
United States Attorney

By: 

R. RANDOLPH NEELEY
Assistant United States Attorney
Bar Number: 9083-E56R
Attorney for Defendant
Post Office Box 197
Montgomery, AL 36101-0197
Telephone No.: (334) 223-7280
Facsimile No.: (334) 223-7418
E-mail: rand.neeley@usdoj.gov

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

2008 MAR -6 P 4:50

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
HERBERT LEE BAILEY,)
)
Defendant,)

DEBRA P. HACKETT, CLP
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

MISC. NO. 2:08mc3399-W

AFFIDAVIT

I, R. Randolph Neeley, having been first duly sworn, depose
and say as follows:

1. I am an Assistant United States Attorney and represent the
United States of America, Plaintiff, herein.
2. Judgment was entered on January 26, 2001 for Plaintiff and
against Defendant for the sum of \$12,277.39, together with interest
thereon from the date of Judgment, and costs.
3. Defendant, HERBERT LEE BAILEY, resides at 1650 Goode
Street, Montgomery, Alabama 36104, within the jurisdiction of this
Court.
4. The Judgment has not been satisfied, vacated, reversed, or
barred by the Statute of Limitations, and is one on which execution
may properly issue.

5. The balance due on the Judgment as of March 5, 2008, is
\$11,077.39.

LEURA G. CANARY
United States Attorney

By: 

R. RANDOLPH NEELEY
Assistant United States Attorney
Bar Number: 9083-E56R
Attorney for Defendant
Post Office Box 197
Montgomery, AL 36101-0197
Telephone No.: (334) 223-7280
Facsimile No.: (334) 223-7418
E-mail: rand.neeley@usdoj.gov

Sworn to and subscribed before me this

6th day of March, 2008.


NOTARY PUBLIC

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
HERBERT LEE BAILEY)
)
 Defendant)

MISC. NO.

208mc3399-W

ORDER FOR APPEARANCE OF JUDGMENT DEBTOR

Plaintiff, United States of America, having moved the Court for an Order requiring the Defendant, HERBERT LEE BAILEY, to appear and testify at a Judgment Debtor Examination, and the Court being sufficiently advised,

It is ORDERED that the Motion for Order Requiring Examination of Judgment Debtor is GRANTED.

It is ORDERED that Defendant, HERBERT LEE BAILEY, appear at 10:00 a.m. on the 16th day of April, 2008, Courtroom 4A, United States Federal Courthouse, One Church Street, Montgomery, Alabama 36104, to answer questions concerning Defendant's real and personal property.

It is further ORDERED that Defendant bring the following documents:

1. Copies of personal and business income tax returns for the years 2004, 2005, 2006, and 2007.

2. Copies of all personal and business bank statements for the years 2005, 2006, and 2008.

3. Record of any safety deposit box in your name or that of your spouse.

4. Copy of title or deed of personal residence if owned by you or any member of your family. If not, a copy of proof of ownership by unrelated party.

5. Copy of title or license of automobiles, airplanes, motorcycles and boats owned or driven by you or your spouse.

DEFENDANT, HERBERT LEE BAILEY, IS HEREBY ADVISED THAT FAILURE TO APPEAR AT THE TIME AND LOCATION SET FORTH ABOVE MAY RESULT IN A BENCH WARRANT BEING ISSUED FOR DEFENDANT'S ARREST. A COPY OF THIS ORDER, TOGETHER WITH COPIES OF PLAINTIFF'S MOTION AND AFFIDAVIT, SHALL BE SERVED UPON DEFENDANT FORTHWITH.

DATED this _____ day of _____, 2008.

UNITED STATES MAGISTRATE JUDGE